

MERCHANT &amp; GOULD P.C.

**United States Patent Application****DECLARATION**

As a below named inventor, I hereby declare that: my residence and citizenship is as stated below next to my name; that

I verily believe I am the original, first inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled SEAMLESS DEFECT MANAGEMENT CONVERSION, the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56 (described hereinbelow).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on the basis of which priority is claimed:

- a. ☒ no such applications have been filed.  
 b. ☐ such applications have been filed as follows:

FOREIGN APPLICATION(S), IF ANY, CLAIMING PRIORITY UNDER 35 USC § 119			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

ALL FOREIGN APPLICATION(S), IF ANY, FILED BEFORE THE PRIORITY APPLICATION(S)			
COUNTRY	APPLICATION NUMBER	DATE OF FILING (day, month, year)	DATE OF ISSUE (day, month, year)

I hereby claim the benefit under Title 35, United States Code, § 120/365 of any United States and PCT international application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

U.S. APPLICATION NUMBER	DATE OF FILING (day, month, year)	STATUS (patented, pending, abandoned)

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

U.S. PROVISIONAL APPLICATION NUMBER	DATE OF FILING (Day, Month, Year)
60/202,889	May 10, 2000

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2	Full Name Of Inventor	Family Name Hoskins	First Given Name Edward	Second Given Name Sean
0	Residence & Citizenship	City Longmont	State or Foreign Country Colorado	Country of Citizenship USA
1	Post Office Address	Post Office Address 1800 Sunlight Dr.	City Longmont	State & Zip Code/Country CO 80501/USA
Signature of Inventor 201:			Date: 5/10/01	

#### § 1.56 Duty to disclose information material to patentability.

(a) A patent by its very nature is affected with a public interest. The public interest is best served, and the most effective patent examination occurs when, at the time an application is being examined, the Office is aware of and evaluates the teachings of all information material to patentability. Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section. The duty to disclose information exists with respect to each pending claim until the claim is canceled or withdrawn from consideration, or the application becomes abandoned. Information material to the patentability of a claim that is canceled or withdrawn from consideration need not be submitted if the information is not material to the patentability of any claim remaining under consideration in the application. There is no duty to submit information which is not material to the patentability of any existing claim. The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98. However, no patent will be granted on an application in connection with which fraud on the Office was practiced or attempted or the duty of disclosure was violated through bad faith or intentional misconduct. The Office encourages applicants to carefully examine:

- (1) prior art cited in search reports of a foreign patent office in a counterpart application, and
- (2) the closest information over which individuals associated with the filing or prosecution of a patent application believe any pending claim patentably defines, to make sure that any material information contained therein is disclosed to the Office.

(b) Under this section, information is material to patentability when it is not cumulative to information already of record or being made of record in the application, and

- (1) It establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or
- (2) It refutes, or is inconsistent with, a position the applicant takes in:
  - (i) Opposing an argument of unpatentability relied on by the Office, or
  - (ii) Asserting an argument of patentability.

A prima facie case of unpatentability is established when the information compels a conclusion that a claim is unpatentable under the preponderance of evidence, burden-of-proof standard, giving each term in the claim its broadest reasonable construction consistent with the specification, and before any consideration is given to evidence which may be submitted in an attempt to establish a contrary conclusion of patentability.

(c) Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) Each inventor named in the application;
- (2) Each attorney or agent who prepares or prosecutes the application; and
- (3) Every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application.

(d) Individuals other than the attorney, agent or inventor may comply with this section by disclosing information to the attorney, agent, or inventor.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s):	Edward S. Hoskins		
Serial No.:		Examiner:	
Filed:		Group Art Unit:	
Title:	SEAMLESS DEFECT MANAGEMENT CONVERSION		
Docket:	STL9650;40046.114USU1		

**POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST  
(REVOCATION OF PRIOR POWERS)**

As assignee of record of the entire interest of the above identified application,

**REVOCATION OF PRIOR POWERS OF ATTORNEY**

all powers of attorney previously given are hereby revoked and

**NEW POWER OF ATTORNEY**

the following practitioners/patent agent are hereby appointed to prosecute and transact all business in the Patent and Trademark Office connected therewith.

Shawn B. Dempster, Registration No. 34,321	Edward P. Heller, III, Registration No. 29,075
Jonathan E. Olson, Registration No. 41,231	Raghunath S. Minisandram, Registration No. 38,683
Derek J. Berger, Registration No. 45,401	Leland D. Schultz, Registration No. 30,322
Kirk A. Cesari, Registration No. 47,479	Carol I. Bordas, Registration No. 37,284
Mitchell K. McCarthy, Registration No. 38,794	

And members of the firm of Merchant & Gould P.C.

Albrecht, John W.	Reg. No. 40,481	Holzer, Jr., Richard J.	Reg. No. 42,668
Anderson, Gregg I.	Reg. No. 28,828	Johnston, Scott W.	Reg. No. 39,721
Batzli, Brian H.	Reg. No. 32,960	Kadievitch, Natalie D.	Reg. No. 34,196
Beard, John L.	Reg. No. 27,612	Karjeker, Shaikat	Reg. No. 34,049
Berns, John M.	Reg. No. 43,496	Kettelberger, Denise	Reg. No. 33,924
Black, Bruce E.	Reg. No. 41,622	Keys, Jeramie J.	Reg. No. 42,724
Branch, John W.	Reg. No. 41,633	Knearl, Homer L.	Reg. No. 21,197
Bremer, Dennis C.	Reg. No. 40,528	Kowalchuk, Alan W.	Reg. No. 31,535
Bruess, Steven C.	Reg. No. 34,130	Kowalchuk, Katherine M.	Reg. No. 36,848
Byrne, Linda M.	Reg. No. 32,404	Lacy, Paul E.	Reg. No. 38,946
Carlson, Alan G.	Reg. No. 25,959	Larson, James A.	Reg. No. 40,443
Caspers, Philip P.	Reg. No. 33,227	Liepa, Mara E.	Reg. No. 40,066
Chiapetta, James R.	Reg. No. 39,634	Lindquist, Timothy A.	Reg. No. 40,701
Clifford, John A.	Reg. No. 30,247	Lycke, Lawrence E.	Reg. No. 38,540
Coldren, Richard J.	Reg. No. 44,084	McAuley, Steven A.	Reg. No. 46,084
Daignault, Ronald A.	Reg. No. 25,968	McDonald, Daniel W.	Reg. No. 32,044
Daley, Dennis R.	Reg. No. 34,994	McIntyre, Jr., William F.	Reg. No. 44,921
Dalglish, Leslie E.	Reg. No. 40,579	Mueller, Douglas P.	Reg. No. 30,300
Daulton, Julie R.	Reg. No. 36,414	Pauly, Daniel M.	Reg. No. 40,123
DeVries Smith, Katherine M.	Reg. No. 42,157	Phillips, John B.	Reg. No. 37,206
DiPietro, Mark J.	Reg. No. 28,707	Plunkett, Theodore	Reg. No. 37,209
Edell, Robert T.	Reg. No. 20,187	Prendergast, Paul J.	Reg. No. 46,068
Epp Ryan, Sandra	Reg. No. 39,667	Pytel, Melissa J.	Reg. No. 41,512
Glance, Robert J.	Reg. No. 40,620	Qualey, Terry	Reg. No. 25,148
Goggin, Matthew J.	Reg. No. 44,125	Reich, John C.	Reg. No. 37,703
Golla, Charles E.	Reg. No. 26,896	Reiland, Earl D.	Reg. No. 25,767
Gorman, Alan G.	Reg. No. 38,472	Schmaltz, David G.	Reg. No. 39,828
Gould, John D.	Reg. No. 18,223	Schuman, Mark D.	Reg. No. 31,197
Gregson, Richard	Reg. No. 41,804	Schumann, Michael D.	Reg. No. 30,422
Gresens, John J.	Reg. No. 33,112	Scull, Timothy B.	Reg. No. 42,137
Hamre, Curtis B.	Reg. No. 29,165	Sebald, Gregory A.	Reg. No. 33,280
Hillson, Randall A.	Reg. No. 31,838		

Skoog, Mark T.  
Spellman, Steven J.  
Stoll-DeBell, Kirstin L.  
Sumner, John P.  
Swenson, Erik G.  
Tellekson, David K.  
Trembath, Jon R.  
Underhill, Albert L.  
Vandenburgh, J. Derek

Reg. No. 40,178  
Reg. No. 45,124  
Reg. No. 43,164  
Reg. No. 29,114  
Reg. No. 45,147  
Reg. No. 32,314  
Reg. No. 38,344  
Reg. No. 27,403  
Reg. No. 32,179

Wahl, John R.  
Weaver, Karrie G.  
Welter, Paul A.  
Whipps, Brian  
Wickhem, J. Scot  
Williams, Douglas J.  
Witt, Jonelle  
Wu, Tong  
Xu, Min S.  
Zeuli, Anthony R.

Reg. No. 33,044  
Reg. No. 43,245  
Reg. No. 20,890  
Reg. No. 43,261  
Reg. No. 41,376  
Reg. No. 27,054  
Reg. No. 41,980  
Reg. No. 43,361  
Reg. No. 39,536  
Reg. No. 45,255

#### CHANGE OF ATTORNEY'S/ AGENT'S ADDRESS IN APPLICATION

Merchant & Gould P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903

#### STATEMENT UNDER 37 CFR 3.73(b)


Seagate Technology LLC states that it is the Assignee of Entire Interest in the patent application/patent identified above by virtue of an Assignment from the inventor(s) of the patent application/patent identified above. A copy of the Assignment is attached and/or was recorded in the Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_. The undersigned (whose title is supplied below) is empowered to sign this statement on behalf of the Assignee.

Respectfully submitted,

SEAGATE TECHNOLOGY LLC  
(Assignee of Entire Interest)

5-10-2001

Date

  
Kirk A. Cesari, Registration No. 47,479  
SEAGATE TECHNOLOGY LLC  
Intellectual Property Dept. - SHK2LG  
1280 Disc Drive  
Shakopee, MN 55379-1863  
(952) 402-3534 (telephone)  
(952) 402-2657 (facsimile)